

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

Target Corporation, a Minnesota corporation,

Plaintiff,

v.

ACE American Insurance Company, a  
Pennsylvania corporation, and ACE Property &  
Casualty Insurance Company, a Pennsylvania  
corporation,

Defendants.

**Case No. 0:19-cv-02916 (WMW/DTS)**

**MOTION TO ALTER OR AMEND JUDGMENT**

Plaintiff Target Corporation (“Target”), upon the accompanying Memorandum of Law in Support of Its Motion to Alter or Amend Judgment, and all prior papers, records, and proceedings herein, through its undersigned attorneys, hereby moves this Court, the Honorable Wilhelmina M. Wright, to vacate the Court’s Order and subsequent entry of judgment and to either: permit additional briefing, evidentiary submissions, and discovery, as contemplated by Fed. R. Civ. P. 56(f)(2); or, on the alternative, alter or amend the judgment to grant summary judgment on behalf of Target consistent with the legal arguments outlined in Target’s Memorandum concerning this motion; or, in another alternative, alter or amend the judgment to deny both of the parties’ cross-motions for summary judgment in this case.

Dated: March 8, 2021

Covington & Burling LLP

/s/ Gretchen Hoff Varner

David B. Goodwin (pro hac vice)  
Gretchen Hoff Varner (pro hac vice)  
COVINGTON & BURLING LLP  
Salesforce Tower  
415 Mission Street, Suite 5400  
San Francisco, CA 94105-2533  
Tel.: (415) 591-6000  
Fax: (415) 591-6091  
Email: [dgoodwin@cov.com](mailto:dgoodwin@cov.com)  
[ghoffvarner@cov.com](mailto:ghoffvarner@cov.com)

John B. Lunseth II (#065341)  
Mira Vats-Fournier (#0399692)  
TAFT, STETTENIUS & HOLLISTER,  
P.A.  
2200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402  
Phone: 612-977-8400  
Fax: 612-977-8650  
Email: [jlunseth@taftlaw.com](mailto:jlunseth@taftlaw.com)  
[mvats-fournier@taftlaw.com](mailto:mvats-fournier@taftlaw.com)

*Attorneys for Plaintiff*  
*Target Corporation*